

REMARKS/ARGUMENTS

Applicants respond herein to the Office Action dated October 18, 2006.

Applicant's attorneys appreciate the Examiner's continued thorough search and examination of the present patent application.

Claims 1-53 are pending in this application. Claims 41-47 have been withdrawn from consideration. Claims 1-40 and 48-53 have been rejected. Claims 2, 14, 15, and 33 have been objected to.

Claims 1, 2, 5, 6, 12, 13, 20, 48, and 49 were amended to correct minor informalities and to remove the word "selection" used when the characteristics of content are recited. This was done for clarity and consistency of terms. Additionally, claims 9, 14, 15, 16, and 25 were amended to correct minor informalities. No new matter was added.

RESPONSE TO ARGUMENTS

In response to the Examiner's request to correlate definitions of words that were termed as vague and indefinite in previous rejections to the page, line and/or paragraph of the corresponding section in the disclosure the following is provided: The definition of "Opportunity Matching" may be found on page 13, lines 14-16 where matching the content to the opportunities is discussed, on page 34, lines 13-14 where matching the opportunity to the available content and the viewer characteristics is discussed.

Claim 17 was amended. The term "switching the receiver" was removed.

DRAWINGS OBJECTIONS

The drawings filed on February 2, 2006 have been objected to by the Examiner because of handwritten or hand drawn elements including all numerals. Replacement sheets for Figures 1-11 are enclosed herewith in compliance with the Examiner's objections.

SPECIFICATION OBJECTIONS

The Examiner has objected to the specification because the title of the application was published to include a typographical error in the word "Network". That word was erroneously spelled as "Nertwork". The title of the application was corrected herewith.

The specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter.

With regard to claim 9, that claim recites executing the steps of storing, matching, recording, and reporting on facilities that are selected from commonly known and generally available devices specifically a smart card. Claim 9 provides a list of such devices named facilities. Wikipedia.org, an Internet based encyclopedia states as follows:

“A smart card, chip card, or integrated circuit(s) card (ICC), is defined as any pocket-sized card with embedded integrated circuits. Although there is a diverse range of applications, there are two broad categories of ICCs. Memory cards contain only non-volatile memory storage components, and perhaps some specific security logic. Microprocessor cards contain memory and microprocessor components.”

Hence because the smart cards can contain memory and microprocessor components, it would logically follow that it would be obvious to those skilled in the art that such a smart card, as any microprocessor, can include an operating system that allows multiple independent applications.

Similarly, with respect to a facility that has one or more grant/deny type servers accessible on a network, the term “grant/deny type servers” is well known to those skilled in the art. This term describes a security subsystem running on servers or computers that grants/denies user access and handles user logons to those servers.

Finally, the “one or more ticket server systems accessible on a network” recitation of claim 9 originally read “one or more Kerberos or other ticket server systems accessible on a network”. Kerberos is described in Wikipedia.org as a computer network authentication protocol, which allows individuals communicating over an insecure network to prove their identity to one another in a secure manner. Further, Wikipedia.org states that Kerberos works on the basis of “tickets” which serve to prove the identity of users. Thus, it is assumed that “ticket server systems” are known to those skilled in the art.

With regard to claim 12 the section entitled “Content Selection Using Content Descriptors” on page 14, states the following at lines 28-30:

The content characteristics 83 describe the contents targeting attributes. The number and types of characteristics are dynamic, and can grow or change over time.

Claim 12 simply restates the above description to recite that the descriptors include “a plurality

of variable and extensible characteristics”.

CLAIMS OBJECTIONS

Claims 9, 14, and 15 were amended to correct the antecedent basis of the term “facilities”. .

Claim 33 was amended to correct an informality. However, Applicant’s attorneys believe that the comma after the term “(DVB)” is proper. Claim 33 lists components of the reference clock. These components include: “a time-of-day reference time stream available to the receiver, a Digital Video Broadcast (DVB), a time date table (TDT), a Moving Picture Experts Group (MPEG) presentation time stamp (PTS), and a MPEG display time stamp (DTS).”

CLAIMS REJECTIONS UNDER 35 U.S.C. §112

Claim 20 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claim 17 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Reconsideration and withdrawal of these rejections are respectfully requested.

With regard to claim 20, the Examiner is directed to page 8 of the present application. In particular, lines 28-30 state:

This type of information, which can include the electronic program guide and related tables for access, frequency and other information for receiving and describing the signal, are known as service information (SI) tables.

When the content targeting opportunities are identified, a time when the identified content targeting opportunities are provided, the frequency with which they are provided and the time separating their provision is listed in the service information tables.

Claim 17 was amended to replace the term “content targeting opportunity is provided” with “version of content is selected”. Support, for the recitation of “the version of content is selected in response to an invocation of a function on the receiver” is found in the last paragraph on page 59 of the present application.

CLAIMS REJECTIONS UNDER 35 U.S.C. §102

Claims 48-53 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,698,020 to Zigmond et al. (“Zigmond”).

Reconsideration and withdrawal of this rejection are respectfully requested.

In accordance with independent claim 48, the claimed method of selecting and displaying a version of content in response to a content targeting opportunity carries out steps of “receiving and storing characteristics of a viewer, the content, and viewing opportunities”. The characteristics of the viewer are general identifying factors of a universe of viewers pre-selected to watch alternate versions of content. Viewer or user characteristics are described in the present specification as follows:

at page 20, lines 10-13:

The targeting and pricing can be applied to receivers taking advantage of user characteristics known to the operator and usable within the methods described herein, with results being derived from a sample of receivers, or by an independent sampling of users with similar characteristics.

at page 23, lines 17-20:

The management method also receives characteristic information on the users from the operator. This data may be based on the subscription information provided to the operator by the user, or information the operator has acquired from other sources.

In accordance with the present invention, the viewer or user characteristics are determined outside of the receiver/settop box and even outside of the head-end, by entities that aggregate demographic and related data. For example, General Motors Corporation (GM) maintains a list of Cadillac customers around the U.S. When GM decides to air targeted ads for Cadillac, it provides to the head-end a customer list together with versions of content , i.e., advertisements, targeted to different groups of viewers. The head-end merges the customer list with its viewer list in order to select receiver/settop box addresses of viewers that are found in both lists for targeted advertising.

Once this list is established, the viewer or user characteristics are sent to and received on the target receivers/settop boxes. Once received, the user characteristics provide instructions that the target viewer is a member of, e.g., the Cadillac Owners group. From that point, when a GM

advertisement airs, an alternative/targeted version of content, i.e., Cadillac advertisement, is displayed to the viewer by the receiver/settop box instead of a default GM advertisement being presented to the general public.

The above-presented discussion is not new subject matter. It is only used as an example or elaboration of the above-presented quotation from page 23 of the present application.

Zigmond, in col. 10, lines 48-53 states:

Specific examples of the viewer and system information stored in storage location 82 include the following. Viewer demographic data may be stored in storage location 82, including age, sex, income, preferred language, number of residents, or similar information.

and in col. 11, lines 13-18:

The viewer and system information may further include information relating to the viewing habits of the viewers in the household. The viewing habits may be described by monitoring the times of day that programming is watched, the amount of time spent viewing particular channels, preferred types of programming, etc.

This is not the same or equivalent to the above described viewer characteristic determined outside of the receiver and provided to the receiver by a third party.

Thus, Zigmond does not teach, disclose, or suggestion at least “receiving and storing characteristics of a viewer, the content, and viewing opportunities” or “performing an opportunity matching process to determine which of the accessible and permitted versions of content match the viewer, viewing opportunity and content characteristics” as recited in claims 48 and 49. Similarly, Zigmond does not teach, disclose, or suggestion at least “sending to a plurality of receivers operated by the individual users, a plurality of versions of content, content characteristics describing each of the versions of content, display opportunities describing when each of the versions of content is to be presented, and user characteristics describing users to whom each of the versions of content is to be presented” as recited in claims 50-53.

CLAIMS REJECTIONS UNDER 35 U.S.C. §103

Claims 1-21, 24-28, 30, 32, 35, 36, 39 and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of U.S. Patent No. 5,872,588 to Aras et al. (“Aras”).

Claims 22 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over

Zigmond in view of Aras as applied to claim 21 above, and further in view of U.S. Patent Application Publication No. US 2003/0022643 to Djupsjobacka et al. (“Djupsjobacka”).

Claim 29 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of Aras as applied to claim 28 above, and further in view of U.S. Patent No. 7,075,945 to Arsenault et al. (“Arsenault”).

Claim 31 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of Aras as applied to claim 28 above, and further in view of U.S. Patent Application Publication No. US 2004/0148625 to Eldering (“Eldering”).

Claim 33 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of Aras as applied to claim 32 above, and further in view of U.S. Patent No. 6,282,209 to Kataoka (“Kataoka”).

Claim 34 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of Aras as applied to claim 32 above, and further in view of U.S. Patent No. 5,937,331 to Kalluri et al. (“Kalluri”).

Claims 37 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zigmond in view of Aras as applied to claim 1 above, and further in view of U.S. Patent No. 6,457,010 to Eldering et al. (“Eldering 2”).

Reconsideration and withdrawal of these rejections are respectfully requested.

Independent claim 1 recites “receiving and decrypting characteristics of a viewer, the content, and viewing opportunities”. As discussed above Zigmond does not teach, disclose, or suggest at least that limitation of claim 1. The Examiner admits that Zigmond does not teach decrypting of the characteristics. The Examiner alleges that Aras does. However, thorough review of sections of the Aras’ specification provided by the Examiner reveals a description of handling of Audio Visual Material (AVM) and Audio Visual Information (AVI). The sections provided by the Examiner and of the rest of the Aras’ specification do not teach “receiving and decrypting characteristics of a viewer” recited in claim 1.

Thus, Zigmond, Aras, and their combination do not teach, disclose, or suggest at least that limitation of independent claim 1.

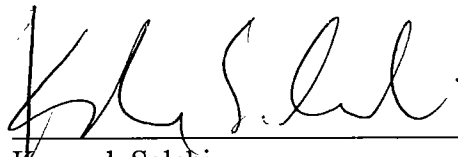
Djupsjobacka, Arsenault, Eldering, Kataoka, Kalluri, and Eldering 2 have been referenced by the Examiner in rejecting only the dependent claims of the present application. These references do not remedy the deficiencies of Zigmond and Aras in rejecting independent claim 1.

Thus, Applicants' independent claims 1, and 48-54 are patentably distinct from Zigmond, Aras, and their combination. Claims 2-40 depend directly or indirectly from above discussed independent claim 1 and are, therefore, patentable for the same reasons, as well as because of the combination of features in those claims with the features set forth in independent claim 1.

In view of the above, it is submitted that all claims in this application are now in condition for allowance.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY THROUGH
THE PATENT AND TRADEMARK OFFICE EFS
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Salehi', is written over a horizontal line.

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